IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 12TH JULY 2007 / 21ST ASHADHA 1929

WP(C).No. 14659 of 2007(T)

PETITIONER:

K.K.JANARDHANAN,DEPUTY GENERAL MANAGER (IN-CHARGE),DISRICT CO-OPERATIVE BANK, PALAKKAD-1.

BY ADV. SRI.SANTHEEP ANKARATH

RESPONDENTS:

1. **STATE OF KERALA,REPRESENTED BY SECRETARY DEPARTMENT OF CO-OPERATIVE SOCIETIES, SECRETARIAT,THIRUVANANTHAPURAM.**
2. **REGISTRAR OF CO-OPERATIVE SOCIETIES, THIRUVANANTHAPURAM.**
3. **REGISTRAR OF CO-OPERATIVE SOCIETIES, PALAKKAD.**
4. **PALAKKAD DISTRICT CO-OPERATIVE BANK, PALAKKAD.REPRESENTED BY ITS GENERAL MANAGER.**
5. **P.JAYABALA,CLERK, PALAKKAD DISTRICT SERVICE CO-OPERATIVE BANK, RESIDING AT SUSHREE, MANISSERY POST, OTTAPALAM, PALAKKAD DISTRICT.**

...2/-

6. THE CO-OPERATIVE ARBITRATION COURT,
THIRUVANANTHAPURAM.

*ADDL.R7 IS IMPLEADED:

R7. T.K.MOHANAKRISHNAN,
S/O.NARAYANA KURUP,
AGED 55 YEARS, "SURYA", THARAVANATTU LANE,
VADAKKANATHARA P.O., PALAKKAD.

(*ADDL.R7 IS IMPLEADED AS PER ORDER DTD. 18/06/2007
IN I.A.NO.7633/2007)

**ADDL.R8 IS IMPLEADED:

R8. T.SWAMYNATHAN, AGED 56 YEARS,
S/O.THANKAN, 'SANTHASUNDARAM',
THANNISSERY P.O., PALAKKAD.

(**ADDL.R8 IS IMPLEADED AS PER ORDER DTD. 12/07/2007 IN
IN.A.NO.7634/2007)

BY ADV. SRI.M.P.ASHOK KUMAR for R4
SRI.A.N.RAJAN BABU for R5
BY GOVERNMENT PLEADER SMT. ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE PROCEEDINGS WHEREBY THE PETITIONER WAS DIRECTED TO ASSUME CHARGE OF THE POST OF DEPUTY GENERAL MANAGER AND DTD. 26/04/2007.

EXT.P2: COPY OF LETTER EVIDENCING ASSUMPTION OF CHARGE DTD. 26/04/2007.

EXT.P3: COPY OF THE ORDER DTD. 12/08/1995 ISSUED BY THE 4TH RESPONDENT BANK.

EXT.P4: COPY OF THE ORDER DTD. 28/09/1996 ISSUED BY THE 4TH RESPONDENT BANK.

EXT.P5: COPY OF THE G.O.(RT) NO.415/97/CO-OP. DTD. 6/11/1997 ISSUED BY GOVT. OFKERALA, CO-OPERATION (B) DEPT.

EXT.P6: COPY OF THE JUDGMENT IN O.P.459 OF 1998 DTD.1/04/1998 ISSUED BY THIS HON'BLE COURT.

EXT.P7: COPY OF G.O.(RT) NO.419/99/CO-OP. DTD. 24/09/1999 ISSUED BY GOVT. OF KERALA, CO-OPERATION (B) DEPARTMENT.

EXT.P8: COPY OF THE JUDGMENT IN WPC.1460 OF 2000 DTD. 8/03/2004 ISSUED BY THIS HON'BLE COURT.

EXT.P9: COPY OF THE SENIORITY LIST OF EMPLOYEES (FINAL) IN 4TH RESPONDENT BANK AS ON 31/12/1997.

EXT.P10: COPY OF THE ORDER DTD. 14/09/1998 BY WHICH THE SENIORITY LIST WAS CIRCULATED.

EXT.P11: COPY OF THE JUDGMENT IN WPC.13378 OF 2007 DTD. 17/04/2007 ISSUED BY THIS HON'BLE COURT.

EXT.P12: COPY OF THE ORDER DTD. 2/05/2007 IN I.A.32 OF 2007 IN A.R.C. 25 OF 2007.

...2/-

EXT.P13: COPY OF THE PROCEEDINGS WHEREBY THE PETITIONER WAS PROMOTED AND DTD. 21/05/2007.

EXT.P14: COPY OF THE LETTER WHEREBY PETITIONER TOOK CHARGE AS THE DEPUTY GENERAL MANAGER AND DTD. 31/05/2007.

EXT.P15: COPY OF THE LETTER INTIMATING HANDING OVER OF CHARGE DTD. 31/05/2007.

5TH RESPONDENT'S EXHIBITS:

EXT.R1(1): COPY OF THE PROCEEDINGS OF THE BOARD OF DIRECTORS DTD. 21/05/07.

EXT.R5(2): COPY OF THE ORDER NO.4054/2000/CRB DTD. 5/03/04 ISSUED BY THE 3RD RESPONDENT.

EXT.R5(3): COPY OF THE SENIORITY LIST DTD. 1/01/83 PUBLISHED BY THE 4TH RESPONDENT.

EXT.R5(4): COPY OF THE MEMO DTD. 12/10/1993 ISSUED BY THE 4TH RESPONDENT.

EXT.R5(5): COPY OF THE ORDER NO.P&G 95-96 DTD. 12/08/1995.

EXT.R5(6): COPY OF THE ORDER DTD. 22/02/96 ISSUED BY THE 2ND RESPONDENT.

EXT.R5(7): COPY OF THE ORDER ISSUED BY THE 4TH REPSONDENT DTD. 28/09/1996.

EXT.R5(8): COPY OF THE ORDER NO.EM(1) 2458 OF 97 DTD. 24/04/1997 BY 2ND RESPONDENT.

EXT.R5(9): COPY OF THE GO(RT) 415/97/CO-OP. DTD. 6/11/1997 ISSUED BY 1ST RESPONDENT.

EXT.R5(10): COPY OF THE COMMON JUDGMENT IN O.P.459/98 AND O.P.772/98 DTD. 01/04/1998.

EXT.R5(11): COPY OF THE ORDER G.O.RT.NO.419/99/CO-OP. DTD. 24/09/1999 ISSUED BY THE 1ST RESPONDENT.

EXT.R5(12): COPY OF THE JUDMENT DTD. 08/03/2004 THIS HON'BLE COURT IN O.P.NO.1460/2000.

EXT.R5(13): COPY OF THE MEMO OF CHARGES DTD. 02/12/1996 ISSUED BY THE 4TH RESPONDENT.

EXT.R5(14): COPY OF THE JOINING REPORT DTD. 19/05/1997 SUBMITTED BY THE 5TH RESPONDENT.

EXT.R5(15): COPY OF THE ORDER DTD. 19/05/1997 ISSUED BY THE 4TH RESPONDENT.

EXT.R5(16): COPY OF THE ORDER DTD. 05/12/1997 ISSUED BY THE 2ND RESPONDENT.

EXT.R5(17): COPY OF THE ORDER DTD. 20/10/1998 ISSUED BY THE 2ND RESPONDENT.

EXT.R5(18): COPY OF THE JUDGMENT DTD. 10/11/1998 IN WRIT APPEAL 2217/1998.

EXT.R5(19): COPY OF THE ORDER G.O.(RT) NO.511/99/CO-OP.DTD. 9/11/1999 ISSUED BY 1ST RESPONDENT.

EXT.R5(20): COPY OF THE JUDGMENT DTD. 29/10/2003 ISSUED BY THE HON'BLE HIGH COURT OFKERALA.

EXT.R5(21): COPY OF THE ENQUIRY REPORT SUBMITTED ON 05/01/1999 BY THE ENQUIRY OFFICER.

EXT.R5(22): COPY OF THE ORDER DTD. 12/02/1999 ISSUED BY THE 4TH RESPONDENT.

EXT.R5(23): COPY OF THE ORDER DTD. 07/02/2000 ISSUED BY THE 4TH RESPONDENT.

EXT.R5(24): COPY OF THE ORDER DTD. 30/08/2000 ISSUED BY THE 2ND RESPONDENT.

EXT.R5(25); COPY OF THE JUDGMENT DTD. 08/03/2004 IN O.P.NO.32399/2000.

EXT.R5(26): COPY OF THE ORDER NO.61/97/CRD DTD. 26/08/1997 ISSUED BY THE 3RD RESPONDENT.

EXT.R5(27): COPY OF THE ORDER GO.RT.NO.379/2004/CO-OP. DTD. 03/07/2004 ISSUED BY THE 1ST RESPONDENT.

EXT.R5(28): COPY OF ORDER GOVT.BY G.O.R.T.NO.39/2006/CO-OP. DTD. 27/01/2006 ISSUED BY THE 1ST RESPONDENT.

7TH RESPONDENT'S EXHIBITS:

EXT.R7(A): COPY OF THE PROCEEDINGS OF THE DISTRICT CO-OPERATIVE BANK PALAKKAD DTD. 24/05/2007.

EXT.R7(B): COPY OF THE COMMUNICATION ISSUED BY THE PETITIONER TO THE GENERAL MANAGER, PALAKKAD DISTRICT CO-OPERATIVE BANK DTD. 31/05/2007.

8TH RESPONDENT'S EXHIBITS:

EXT.R8(A): COPY OF THE PROCEEDINGS OF THE DISTRICT CO-OPERATIVE BANK PALAKKAD DTD. 24/05/2007.

EXT.R8(B): COPY OF THE COMMUNICATION ISSUED BY THE PETITIONER TO THE GENERAL MANAGER, PALAKKAD DISTRICT CO-OPERATIVE BANK DTD. 1/06/2007.

/TRUE COPY/

KSS

K. M. JOSEPH, J.

W.P.C. NO. 14659 OF 2007 T

Dated this the 12th July, 2007

JUDGMENT

The common case is that in the light of the subsequent developments, there is no need to proceed with the matter. It is submitted by counsel for fifth respondent that Appeal is pending before the Arbitration Court. The Writ Petition is closed.

qw

K. M. JOSEPH, JUDGE

kbk.